

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

FILED BY _____ D.C.

05 SEP -6 PM 2:32THOMAS W. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, JACKSON**SHEILA BLANCHETT,****Plaintiff,****v.****NO. 1-05-1200-T/A****METROPOLITAN LIFE INSURANCE
COMPANY,****Defendant.**

**ORDER DENYING AGREED ORDER TO EXTEND TIME TO FILE ANSWER OR
RESPONSIVE PLEADING**

Before the Court is Plaintiff and Defendant's Agreed Order filed on August 29, 2005. It was unaccompanied either by a Motion or a memorandum of facts and law setting forth the basis for the parties' request. For the reasons set forth below, the Agreed Order is **DENIED**.

The Federal Rules of Civil Procedure require that "an application to the court for an order shall be by motion which ... shall be made in writing, shall state with particularity the grounds therefor, and shall set forth the relief or order sought." Fed. R. Civ. P. 7(b). Additionally, the Local Rules for the Western District of Tennessee require that all motions filed in the Court shall be "accompanied by a supporting memorandum of facts and law." Local Rule 7.2(a)(1) for the Western District of Tennessee.

Because the Plaintiff and Defendant did not file a Motion or a supporting memorandum of facts and law with their Agreed Order, the Agreed Order is **DENIED** without prejudice. Plaintiff and Defendant are entitled to re-file their Agreed Order, so long as it is accompanied by a Motion and a memorandum of facts and law in compliance with the Federal Rules of Civil

(4)

Procedure and the Local Rules for the Western District of Tennessee.

IT IS SO ORDERED.


S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE

Date: September 06, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 4 in case 1:05-CV-01200 was distributed by fax, mail, or direct printing on September 7, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT